or a physiologically acceptable salt thereof with an inorganic and/or organic base, an amino acid or an amino acid amide.

42. A method of claim 41, wherein X is, in each case, a hydrogen atom or a metal ion equivalent selected from Cr, Mn, Ni, Cu, Pr, Nd, Sm, Yb, Gd, Dy, Ho, and Er.

43. A method of claim 42, wherein three of the substituents X represent metal ion equivalents of Gd.

REMARKS

In the Amendment filed September 1, 1995, claims 33-35 were cancelled. Thus, the reference at page 4 of claim 33 being amended to be in independent form was incorrect. Instead, claims 33-35 were cancelled, rendering moot not only the rejection under 35 U.S.C. §103 but also under 35 U.S.C. §112, second paragraph.

New claims 41-43 correspond to the previously cancelled claims 33-35, except claim 41, unlike claim 33, is independent form. Therefore, the rejection under 35 U.S.C. §112, second paragraph, with respect to claims 33-35 does not apply to the above claims 41-43.

Rejection under 35 U.S.C. §103

In the Office Action of March 9, 1995, claims 33-35 were rejected under 35 U.S.C. §103 in view of Gries et al. (U.S. '447) in combination with Lauffer (U.S. '008).

In the rejection, it is acknowledged that Gries et al. (U.S. '447) "do not teach that a phenyl ring is substituted on one of the amide chain carbons."

In the rejection, reference is made to the disclosure of Lauffer (U.S. '008) at column 3, lines 4-22. In particular, at column 3, lines 14-22, U.S. '008 discloses that, when targeting a protein, lipophilicity will enhance the binding of the contrast agent. Further, it is indicated that lipophilicity can be provided by "a non-polar structure, the presence of at least one aryl group (e.g., a substituted or unsubstituted phenyl ring), at least one halogen atom and/or hydrophobic alkyl groups."